



County of Los Angeles  
**CHIEF ADMINISTRATIVE OFFICE**

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://cao.co.la.ca.us>

DAVID E. JANSSEN  
Chief Administrative Officer

April 26, 2005

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

**RESOLUTION TO SET ASIDE PROPERTY FOR HIGHWAY PURPOSES  
AND ACCEPTANCE OF THE HIGHWAY INTO THE COUNTY ROAD SYSTEM  
TAPIA PARK, UNINCORPORATED MALIBU  
(THIRD DISTRICT) (4-VOTES)**

**IT IS JOINTLY RECOMMENDED WITH THE DEPARTMENT OF PUBLIC WORKS  
THAT, AFTER PUBLIC HEARING, YOUR BOARD:**

1. Find that these actions are categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find, pursuant to Section 941 of the California Streets and Highways Code that the portion of Tapia Park proposed to be set aside for street, highway and slope easements is necessary for public convenience.
3. Adopt the attached resolution (Attachment A), setting aside a portion of Tapia Park for highway purposes; accept the highway into the County road system as Malibu Canyon Road (alternately known as Las Virgenes Road), and authorize the resolution to be recorded with the Registrar/Recorder.
4. Find that the administrative transfer of 10.33 acres of County-owned real property from the Probation Department to the Department of Parks and Recreation (Parks) for annexation into Tapia Park is adequate compensation for the loss of 6.95 acres of park land for road purposes, and is in compliance with the requirements of California Public Resources Code (PRC) Section 5405 subsection (b).
5. Authorize the Chief Administrative Officer (CAO) to execute any other documents necessary to complete the transaction, upon approval by County Counsel.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to set aside portions of Tapia Park fronting Las Virgenes Road for street and highway purposes. The set-aside of park property for road purposes requires that the County comply with the PRC. In this instance, compliance is accomplished by transferring a portion of the land associated with the adjacent Camp David Gonzales, which is currently under the administrative control of the Probation Department, to Parks for the purpose of annexation into Tapia Park. The PRC allows such a transfer provided the land being gained is of comparable size and characteristics. The proposed 10.33 acres of the Probation property is being exchanged for the 6.95 acres of park property required to accommodate the widening of what will be known as Malibu Canyon Road and thus fully complies with the requirement of the PRC.

Adoption of the attached Resolution also causes the street to become part of the County System of Highways for operation and maintenance purposes. Las Virgenes Road, alternately known as Malibu Canyon Road, has been designed, partially improved, and maintained by the Department of Public Works (DPW) for years as a major highway, with a 100-foot wide right-of-way designated along most of its length, including the portions north and south of Tapia Park.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Countywide Strategic Plan directs that we provide the public with beneficial and responsive services (Goal 1). In support of this goal of service excellence, the proposed actions will provide the opportunity to expand the existing roadway, which will result in the betterment of the quality of life for the traveling public and provide land for park purposes that will allow for the maintenance and expansion of the existing trail system within the Santa Monica Mountains, both of which will benefit the community in general.

### **FISCAL IMPACT/FINANCING**

Setting aside a portion of County- owned property for street and highway purposes and acceptance of the roadway into the County road system will have no fiscal impact to the County budget.

The Probation Department has determined that the 10.33 acres proposed to be relinquished pursuant to this action are surplus to their Camp David Gonzales operation and as such they are not incurring any costs to maintain this property. The State of California Department of Parks and Recreation (State) currently operates and maintains Tapia Park under a lease agreement with the County and the State would be responsible for all costs associated with park operations.

On October 19, 2004 your Board approved the transfer of ownership of Tapia Park from the County to the State. That transfer is conditional upon your Board's adoption of the recommendations presented herein.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The CAO is charged with managing the County's non-Public Works controlled real estate resources. The CAO will coordinate the transfer of administrative responsibility over the 10.33 acre parcel from the Probation Department to Parks. In addition, the CAO will coordinate the various road takings between DPW and Parks. All of the County departments involved and the State concur that the proposed transaction is acceptable and is in the best interest of the County and the State.

PRC Section 5405 provides several remedies to ensure that existing park lands are maintained, including that the taking of land used for park purposes is cause for the legislative body to acquire substitute park land of comparable characteristics and of substantially equal size. County staff have compared the land being taken for road purposes and the land being acquired for park purposes and determined that the land area being acquired is superior in terms of size, recreational utility and overall market value. This conclusion involved appraising both parcels and comparing the physical attributes of each parcel. Therefore, the County has met and exceeded the threshold of determination as provided in the PRC.

The areas to be set aside for street and highways are part of Tapia Park and are located in the unincorporated Malibu area. In compliance with the Park Preservation Act of 1971, the County Probation Department will transfer administrative responsibility for approximately 10.33 acres to be used as a substitute park land to Parks in exchange for the 6.95 acres, set aside for the roadway easements. The Probation Department has determined that the affected portion of Camp David Gonzales located adjacent to Tapia Park is surplus to its needs and has consented to the jurisdictional transfer of the substitute park land.

In accordance with PRC Section 5406 notice of your Board's intended action was posted at Tapia Park for the required 45-day period.

County Counsel has reviewed the Resolution and has approved it as to form.

The affected portion of Malibu Canyon Road is approximately a quarter of a mile long. For years, this road has been used by the public as a highway, maintained by the County. The existing road fronting along Tapia Park is improved with approximately 28 feet of asphalt paving within an existing 60-foot right-of-way. The paved area accommodates a two-lane street with shoulder on both sides. The request to set aside County-owned property for street purposes was initiated by DPW to establish a road easement over County-owned property.

#### **ENVIRONMENTAL DOCUMENTATION**

With respect to requirement of the CEQA, this proposed set-aside of the County-owned property for road purposes and its acceptance into the County Road System are categorically exempt, as specified in Classes 1, 4 and 5 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15301, 15304 and 15305 of State CEQA Guidelines.

Also, the transfer of the Probation property for annexation into Tapia Park is exempt from the provisions of CEQA as specified in Class 16, of the Environmental Document Reporting Procedures and Guidelines, adopted by your Board.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

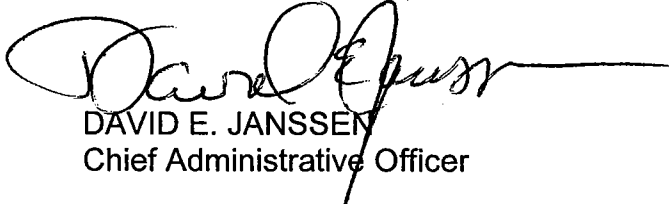
The land removed from park use for easement purposes will not impair park functions. The replacement land added to Tapia Park will enhance its recreational use as it includes a pedestrian and equestrian trail segment known as the Backbone Trail connecting Tapia Park to Malibu Creek State Park.

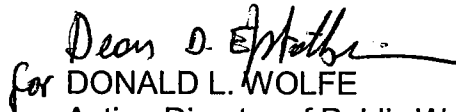
The Los Angeles County Regional Planning Commission has found that the proposal to set aside county property for highway purposes is not in conflict with the County-adopted General Plans.

**CONCLUSION**

It is requested that the Executive Officer, Board of Supervisors, return two certified copies of the Minute Order, and the adopted, stamped Board letter to the CAO Real Estate Division at 222 South Hill Street, 3rd Floor, Los Angeles, CA 90012 for further processing and upon adoption of the Resolution, return the executed original and a copy, and the executed original easement document along with the adopted, stamped Board letter to DPW, 900 Fremont Avenue, Alhambra, CA 91803 for further processing. DPW will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

Respectfully submitted,

  
DAVID E. JANSSEN  
Chief Administrative Officer

  
for DONALD L. WOLFE  
Acting Director of Public Works

DEJ:DLW  
CWW:CK:cc

Attachment

c: County Counsel  
Auditor-Controller  
Probation Department  
Department of Parks & Recreation

TapiaParkPreservation.b

**ATTACHMENT A**  
**RESOLUTION WITH EXHIBITS**

**RESOLUTION**  
**SETTING ASIDE COUNTY-OWNED PROPERTY FOR HIGHWAY PURPOSES AND**  
**ACCEPTANCE OF THE HIGHWAY INTO COUNTY ROAD SYSTEM**  
**MALIBU CANYON ROAD - UNINCORPORATED MALIBU**  
**SUPERVISORIAL DISTRICT 3**

WHEREAS, the Department of Parks and Recreation has given its approval to the Department of Public Works to set aside for public use portions of Park's property for slope and road purposes;

WHEREAS, in compliance with the Public Park Preservation Act of 1971, an area with comparable characteristics and of substantially greater size was substituted to the Park land area set aside;

WHEREAS, the Los Angeles County Probation Department has consented to the jurisdictional transfer of approximately 10.33 acres of its property, legally described in Exhibit "A" incorporated herein by reference, to the Park land area as replacement for the approximately 6.95 acres of land set aside.

WHEREAS, it is necessary for the public convenience that the variable width slope easement and the 100-foot-wide strip of land legally described in Exhibit "B" and as shown by the map in Exhibit "C" attached hereto and incorporated herein by reference, which real property is located in the Unincorporated Malibu area, County of Los Angeles, State of California, be set aside as designated, the slope and road as part of Malibu Canyon Road.

WHEREAS, Section 941 of the Streets and Highways Code provides that no public or private road may become a County highway until and unless the Board of Supervisors, by appropriate Resolution, has caused said road to be accepted into the County Road System; and

WHEREAS, the Director of Public Works of the County of Los Angeles recommends the proposed set aside and acceptance of Malibu Canyon Road into the County Road System.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California that the above-referenced County-owned property is hereby set aside for slope and road purposes (to be known as Malibu Canyon Road) in accordance with Section 941 of the Streets and Highways Code of the State of California.

BE IT FURTHER ORDERED that the public interest and necessity require the acceptance of this portion of Malibu Canyon Road into the County Road System pursuant to said Section 941.

AND BE IT FURTHER RESOLVED that the Chief Administrative Officer is instructed to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the areas set aside shall become easements for slope and road purposes. The road to be known as Malibu Canyon Road, accepted into the County Road System, shall hereafter constitute a County highway, as defined in Section 960.5, of the Streets and Highways Code of the State of California.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By Ferrin & Scott  
Deputy



File with: **TAPIA PARK (1)**  
I.M. 129-057  
Third District  
T.G. 588(H7)  
A.P.N. 4462-030-901 (Por.)  
M04R155001

**LEGAL DESCRIPTION**

(Jurisdictional transfer from the Probation Department  
to the Department of Parks and Recreation)

That portion of the northwest quarter of Section 18, Township 1 South, Range 17 West, S.B.M., lying northerly of the southerly line of the northerly 1,200.00 feet of said northwest quarter, measured along the west line of said northwest quarter, and lying westerly of a line parallel with and 20.00 feet easterly, measured at right angles, from the following described line:

Beginning at a point in the southerly line of said northerly 1,200.00 feet of the northwest quarter of said section, distant South 89°43'50" East along said southerly line, 458.58 feet from said west line; thence along the line to be described herein, the following courses and distances:

North 11°29'14" East 167.82 feet;	North 35°37'44" West 19.11 feet;
South 52°22'01" West 24.57 feet;	North 27°39'43" West 35.75 feet;
North 15°26'06" East 29.72 feet;	North 56°04'56" East 23.75 feet;
North 01°22'19" East 35.62 feet;	North 35°13'11" West 73.59 feet;
North 15°53'43" East 46.89 feet;	North 05°06'54" West 32.72 feet;
North 17°09'26" West 111.36 feet;	North 27°51'33" West 81.13 feet;
North 36°59'00" West 43.95 feet;	North 65°48'30" West 86.12 feet;
North 41°23'47" West 53.77 feet;	North 12°02'33" West 26.68 feet;
South 86°43'52" East 34.82 feet;	North 78°20'56" East 95.71 feet;
North 85°58'44" East 39.11 feet;	North 04°23'58" East 10.65 feet;
North 72°51'40" West 36.86 feet;	North 48°42'12" West 86.67 feet;
North 05°51'29" West 20.68 feet;	North 24°48'28" East 29.88 feet;
North 42°07'07" East 53.77 feet;	North 23°23'42" West 36.76 feet;
South 89°52'06" West 98.59 feet;	North 23°57'50" West 28.47 feet;
North 28°02'09" East 27.72 feet;	North 08°17'29" West 43.94 feet;
North 34°06'06" West 79.17 feet;	North 60°49'23" West 114.50 feet;
North 81°16'23" West 36.70 feet;	South 64°27'36" West 43.40 feet, more or

less, to a point on said west line, distant southerly along said west line, 53.16 feet from the northwesterly corner of said northwest quarter.

Containing: 10.33 ± Acres

**EXHIBIT A**

# EXHIBIT B

TAPIA PARK 1P-1RE  
I.M. 129-057  
Third District  
T.G. 588(H7)  
A.P.N. 4462-030-905 (Portion)  
M04R155001

## LEGAL DESCRIPTION

**PARCEL NO. 1P-1RE** (Set-aside easement for highway purposes):

### **Part A**

All that portion of the proposed 100.00-foot wide strip of land for Malibu Canyon Road in the *southeast quarter* of the northwest quarter of Section 18, Township 1 South, Range 17 West, S.B.M., as shown on County Surveyor's Map No. B-1603, Sheet 2, on file in the office of the Director of the Department of Public Works of the County of Los Angeles.

EXCEPTING therefrom any portion lying within that certain parcel of land in said northwest quarter, described as Part A of PARCEL 38 (Malibu Forestry) in deed to CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY, recorded on January 7, 1993, as Document No. 93-35561, of Official Records, in the office of the Recorder of said County.

Containing: 2.94± Acres

### **Part B**

All that portion of the above-mentioned proposed 100.00-foot wide strip of land for Malibu Canyon Road in the *northeast quarter* of the northwest quarter of above-mentioned Section 18, lying westerly of the easterly boundary of that certain parcel of land described in deed to the COUNTY OF LOS ANGELES, recorded on July 23, 1938, in Book 15903, page 287, of above-mentioned Official Records.

Containing: 0.98± Acre

# EXHIBIT B

TAPIA PARK 1P-1S  
I.M. 129-057  
Third District  
T.G. 588(H7)  
A.P.N. 4462-030-905 (Portion)  
M04R155001

## LEGAL DESCRIPTION

**PARCEL NO. 1P-1S** (Set-aside easement for slope purposes):

### **Part A:**

All that portion of the southeast quarter of the northwest quarter of Section 18, Township 1 South, Range 17 West, S.B.M., as shown on County Surveyor's Map No. B-1603, Sheet 2, on file in the office of the Director of the Department of Public Works of the County of Los Angeles, bounded on the south by the south line of said northwest quarter, on the west by the easterly sideline of the proposed 100.00-foot wide strip of land for Malibu Canyon Road in the northwest quarter of said section, as shown on said County Surveyor's Map No. B-1603, on the north by the southerly line of that certain parcel of land in said northwest quarter, described as Part A of PARCEL 38 (Malibu Forestry) in deed to CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY, recorded on January 7, 1993, as Document No. 93-35561, of Official Records, in the office of the Recorder of said County, and on the east by the following described line:

Beginning at a point in the south line of the northwest quarter of said section, said point being distant westerly along said south line, North 89°43'05" West 595.37 feet from the southeast corner of the northwest quarter of said section; thence North 20°37'35" West 150.50 feet; thence North 13°35'57" West 96.70 feet to a point on a non-tangent curve concave to the east and having a radius of 1,130.00 feet, a radial of said curve to said last-mentioned point bears South 72°38'08" West; thence northerly along said curve, through a central angle of 4°46'29", an arc distance of 94.17 feet; thence non-tangent to said curve North 7°40'53" East 97.61 feet to a point on a non-tangent curve concave to the east and having a radius of 1,100.00 feet, a radial of said last-mentioned curve to said last-mentioned point bears South 82°11'06" West; thence northerly along said last-mentioned curve, through a central angle of 23°52'24", an arc distance of 458.34 feet; thence non-tangent to said last-mentioned curve North 47°35'56" East 102.55 feet; thence South 83°07'44" East 155.37 feet; thence North 38°46'35" West 101.39 feet; thence North 21°07'35" West 141.42 feet; thence North 2°41'29" West 111.80 feet.

Containing: 1.56± Acres

# EXHIBIT B

## Part B:

All that portion of the southeast quarter of the northwest quarter of above-mentioned Section 18, bounded on the north by the south line of the north half of said northwest quarter, on the east by the westerly sideline of the above-mentioned proposed 100.00-foot wide strip of land for Malibu Canyon Road, on the south by the south line of said northwest quarter, and on the west by the following described line, said line hereby designated as Line "A" for the purpose of this description:

Beginning at a point in the south line of the northwest quarter of said section, distant westerly along said south line, North 89°43'05" West 723.12 feet from the southeast corner of said northwest quarter; thence North 31°00'07" West 214.06 feet; thence North 1°59'39" West 216.79 feet to a point on a non-tangent curve concave to the east and having a radius of 1,260.00 feet, a radial of said curve to said point bears South 82°11'06" West; thence northerly along said curve through a central angle of 23°52'24", an arc distance of 525.00 feet; thence non-tangent to said curve North 10°22'04" East 106.65 feet to a point on a non-tangent curve concave to the southeast and having a radius of 1,275.00 feet, a radial of said last-mentioned curve to said last-mentioned point bears North 69°10'01" West; thence northeasterly along said last-mentioned curve through a central angle of 3°02'26", an arc distance of 67.66 feet; thence tangent to said last-mentioned curve North 23°52'25" East 236.32 feet; thence North 32°24'21" East 101.10 feet to the beginning of a non-tangent curve concave to the west and having a radius of 1,140.00 feet, a radial of said last-mentioned curve to said last-mentioned point bears South 66°08'35" East; thence northerly along said last-mentioned curve through a central angle of 42°58'18", an arc distance of 855.00 feet; thence non-tangent to said last-mentioned curve North 50°05'12" West 203.16 feet; thence North 60°25'48" West 148.47 feet; thence North 38°54'32" East 164.83 feet.

Containing: 0.61± Acre

## Part C:

All those portions of the northeast quarter of the northwest quarter of above-mentioned Section 18, bounded on the east by the easterly boundary of that certain parcel of land described in deed to the COUNTY OF LOS ANGELES, recorded on July 23, 1938, in Book 15903, page 287, of above-mentioned Official Records, and bounded on the west by the above-described Line "A".

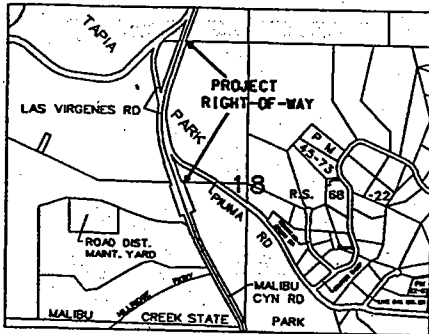
EXCEPTING therefrom that portion lying within the above-mentioned proposed 100.00-foot wide strip of land for Malibu Canyon Road.

Containing: 0.86± Acre

# TAPIA PARK

FOR REFERENCE ONLY

## EXHIBIT "C"



VICINITY MAP  
T.G. 588-H7 & 628-H1

NW 1/4  
SEC 18

S'LY LINE OF THE N'LY  
1200' OF NW1/4 SEC 18

### LEGENDS

OR 15903-287 (7-23-38)  
COUNTY OF LOS ANGELES

OR D1313-991 (8-7-61)  
INST. NO. 4699  
COUNTY OF LOS ANGELES

PARCEL 1P-1EX

OR  
STATE OF CALIFORNIA

1P-1EX  
75.19± AC

T1S R17W SBM

OR  
COUNTY OF LOS ANGELES  
(SET-ASIDE EASE. FOR SLOPE PURP.)  
AREA= 26.507± SF OR 0.61± AC

¢ PER OR 8121-270  
VAQ. PER OR 97-1035158

PART C  
1P-1S

OR  
COUNTY OF LOS ANGELES  
(SET-ASIDE EASEMENT FOR  
SLOPE PURPOSES)  
AREA= 37.624± SF OR 0.86± AC

PART B  
1P-1RE

OR  
COUNTY OF LOS ANGELES  
(SET-ASIDE EASE. FOR HIGHWAY PURP.)  
AREA= 42.657± SF OR 0.98± AC

¢ OF LAS VIRGENES RD  
PER OR 8121-270  
VAC. PER OR 97-1035158

W'LY LINE  
LAS VIRGENES RD 60'  
PER 29667-306

¢ PER OR 29667-306

¢ PER CSB 1603-2

1P-1W

OR  
COUNTY OF LOS ANGELES  
(EASEMENT- WATERLINE)  
AREA= 8.123± SF

¢ PER  
CSB 1603-2

OR 93-35561 (PART A. PCL 38)  
CONSOLIDATED FIRE PROTECTION  
DIST. OF LOS ANGELES COUNTY

¢ PER OR 8121-270

¢ PER CSB 1603-2

1P-1S  
PART A

OR  
COUNTY OF LOS ANGELES  
(SET-ASIDE EASE. FOR SLOPE  
PURPOSES)  
AREA= 67.926± SF OR 1.56± AC

1P-1RE PART A

OR  
COUNTY OF LOS ANGELES  
(SET-ASIDE EASE. FOR HIGHWAY PURP.)  
AREA= 128.296± SF OR 2.94± AC

E'LY LINE OF PROPOSED R/W LINE  
PER CSB 1603-2

PROPOSED R/W LINE  
PER CSB 1603-2

PART B  
1P-1S

SW'LY BDY OF 40' WIDE STRIP  
OF LAND PER OR 8121-270

¢ PER OR 8121-270

SE COR.  
NW1/4. SEC 18

PCA M04R155001

EXHIBIT "C" 10-05-2004